

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Norfolk Division

UNITED STATES OF AMERICA

v.

CRIMINAL NO.: 2:20cr97

CURTIS B. CULBERTSON

Defendant.

**DEFENDANT, CURTIS B. CULBERTSON'S
PROPOSED JURY VOIR DIRE**

COMES NOW the Defendant, Curtis B. Culbertson, through counsel, pursuant to Rule 24 of the Federal Rules of Criminal Procedure, and proposes the following topics and questions for inquiry during the voir dire process:

1. Are you able to read, write, and understand the English language?
2. Do you have any significant problems with hearing or eyesight?
3. Do you suffer from any physical or mental condition(s) that would make it unusually difficult for you to serve on a juror or pay close and careful attention to the evidence presented for extended periods of time?
4. Do you take any prescription medication that affects your thinking, attention concentration, your ability to sit for 90 minutes at a time, or might otherwise affect your service as a juror?
5. The trial in this case will start August 17, 2021. The trial may last 5 days, and could last longer or conclude sooner. Do you have any very serious personal, professional, or financial issues that would prevent you from being present and attentive in Court for the duration of the trial?
6. Do you have any personal, religious, philosophical or other beliefs that would

make it difficult for you to sit in judgment of another person as a juror in a criminal case?

7. Is there any other reason why you could not be present in court and give your full attention every day of this trial?
8. Do you have specialized training in computers or computer forensics?
9. Do you consider yourself to be a computer expert?
10. Have you ever served as a juror before?
11. Have you, or has any member of your family or close friend or relative, ever been the victim of, or witness to a crime, whether or not that crime was reported to law enforcement authorities?
12. Do you know of anyone who felt that he/she was falsely accused of a crime?
13. Have you, or any member of your family, ever been employed by any law enforcement agency, such as: a police department, sheriff's department, Virginia State Police (VSP), the State Bureau of Investigations (SBI), the Federal Bureau of Investigation (FBI), Defense Criminal Investigation Service (DCIS), the Internal Revenue Service (IRS), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Citizenship and Immigration Services (USCIS), Office of the Attorney General of Virginia, the U.S. Marshal's Service, the U.S. Park Police, United States Attorney's Office, the United States Department of Justice, a District/Commonwealth or State's Attorney's Office, a probation or parole office, the Bureau of Prisons, the state department of corrections, the court system, or any other local, state or federal law enforcement agency or private security force?
14. The indictment in this case is merely an accusation and not evidence of guilt. Would you have any difficulty treating the indictment as an accusation and not evidence of guilt?
15. A defendant in a criminal trial has no obligation to testify. Jurors cannot draw any conclusion from the fact that a defendant chooses not to testify. The fact that a defendant may choose not to testify cannot be a factor in reaching your verdict. Would you have any difficulty following these rules?
16. A defendant is presumed innocent and cannot be convicted unless the jury,

based on all the evidence, unanimously decides that his guilt has been proved beyond a reasonable doubt. The burden of proving guilt rests entirely on the government. A defendant has no obligation to prove his innocence. Would you have any difficulty following these rules?

17. Do you, a family member, or any close friend know or have any connection (personal, political, and/or business) to Curtis Culbertson, or to any member of their respective families, or to any other person who has a close personal connection to Curtis Culbertson, including anyone who is to your knowledge their current or former close friends, clients, associates, employees, or co-workers?
18. The defendant, Curtis Culbertson, is charged with charges related to the receipt and access with intent to view child pornography and attempted production of child pornography. Have you ever seen, heard or read anything about this case?
19. Have you formed or expressed any opinion about Curtis Culbertson that would prevent you from listening to the evidence and deciding this case based on the law and the facts?
20. If you have heard about this case in the news media or otherwise, will you be able to set aside what you have heard, listen to the evidence in this case, and be fair to both sides?
21. If, after hearing all of the evidence in this case, you concluded that the government had proved beyond a reasonable doubt that Curtis Culbertson is guilty, would you have any reservations in voting guilty?
22. If, after hearing all of the evidence in this case, you concluded that the government had not proved beyond a reasonable doubt that Curtis Culbertson is guilty, would you have any reservations in voting not guilty?
23. The judge presiding over this case is Senior U.S. District Court Judge Robert G. Doumar. Do you, anyone in your family, or any close personal friend know Judge Doumar or anyone else who works in the federal courthouse?
24. The prosecutors in this case are Elizabeth Yusi and Megan Montoya.

Do you know, or have you had any contact, either social or professional, with any individuals listed above, or any other member of the United States Attorney's Office or Department of Justice?

25. The lead government law enforcement investigator in this case is Special Agent Stacey Sullivan of the Federal Bureau of Investigation (FBI).

Do you know, or have you had any contact, either social or professional, with the individual listed above, or any other member of the FBI?

26. The attorney representing the defendant in this case is Lawrence “Woody” Woodward, Jr., of the law firm Ruloff, Swain, Haddad, Morecock, Talbert & Woodward, P.C.

Do you know, or have you or a family member been a client of, or have you had any contact, either social or professional, with the individual listed above, or any other member of the law firm listed above?

27. Other than what you have already explained, do you or any member of your immediate family or close personal friend know anyone who may be associated in any capacity with this case, its investigation, or its preparation for either the government or the defendant?

28. Do you believe that if the law as given to you by the judge goes against your personal views of what the decision should be, you would tend to base your verdict on your personal views of the case?

29. Is there any reason you have not already explained that you would not want to serve as a juror in this case?

30. After being notified that you may serve as a juror in this case, did you discuss your possible service on this case with anyone, including family, friends, and co-workers, etc.?

31. Is there anything else that you think the Court should know that might influence your ability to fairly and impartially judge the evidence in this case and to apply the law as instructed by the Court?

Defendant, Curtis B. Culbertson reserves the right to request additional questions and follow-up questions when necessary and appropriate based on the responses of the prospective jurors or if other issues arise.

Respectfully submitted,

CURTIS B. CULBERTSON

/ s /

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of August, 2021, I served a true copy of the foregoing via the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record, including:

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/ s /

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